

Article 19

Highway Business Zoning District

Special Provisions Applicable to the Highway Business

Within the Highway Business District, the following provisions govern. Where these provisions conflict with other sections of the Saugus Zoning By-Laws (“By-Laws”), the provisions of this Article shall apply.

Section 19.1: Purpose and Intent

The primary purpose of the Saugus Business Highway Zoning District (BH) is to realign an aging major arterial commercial strip corridor with the forces of market demand so it is restructured into a form which property owners and developers will reinvest and create attractive mixed use sustainable development centers that ensure the development and redevelopment of a mix of compatible uses including the creation of new housing opportunities.

Specifically the Saugus General Business District is intended to:

- Embrace smart growth principles to enhance economic development opportunities along Route 1 and Route 99.
- Provide the broadest range of commercial uses and encourage the development and redevelopment of underutilized or obsolete commercial property and ensure development and redevelopment that includes current retail and service trends, allows for a wide variety of mix uses, and includes the creation of new housing opportunities for a range of incomes and lifestyles. These uses include residential, office, retail, entertainment hotels, and other compatible uses.
- Limit auto-related services.
- Allow market-driven growth in places that are most conducive to accommodating additional activity.
- Promote developments that have an internal walkable and pedestrian-oriented environment, plazas and have open spaces and a mix of uses that connect to other buildings within a development.
- Create and support lively, human-scaled activity areas and gathering places within a development

- Promote development that accommodates the automobile but also allows for development to be accessible by public transportation, biking and walking where feasible and practical.
- Discourage strip-style commercial development which requires incongruous architectural styles, excessive paved areas, and numerous curb cuts.
- Encourage consolidation of driveways, parking and curb cuts to provide more efficient and economical access and parking.
- Encourage internal vehicle connections to adjacent developments within the Business Highway District.
- Encourage a coordinated pedestrian path system to provide efficient and convenient pedestrian access from parking areas to and among the various permitted uses.
- Assure suitable design and buffers to protect the character and property values of adjacent and nearby residential neighborhoods.

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Section 19.2: Applicability/District Boundaries

The BH Zoning District includes parcels shown on the zoning map entitled “Saugus Business Highway Zoning District” dated _____ 2015 and prepared by the Metropolitan Area Planning Council on file with the Town Clerk and hereby made a part of this by-law. The provisions of this zoning district are applicable to the entire lot or lots, including those portions of a lot (lots) currently in different zoning districts. It is the intent of the Business Highway Zoning District to encourage a mix of uses and better use of the land that only can be accomplished by a comprehensive design and development of the entire lot or lots.

Section 19.3: Relationship to Existing Zoning and Other Regulations:

- a.** The Special Provisions apply to all projects to develop and redevelop land within the Business Highway Zoning District. These must conform to all applicable requirements of this By-Law, including any regulations or guidelines that may be adopted to support this By-Law.
- b.** All current regulations of existing Saugus Zoning By-Law shall remain in effect, except where these regulations supersede or provide an alternative to such requirements.
- c.** If the provisions of this By-Law are in conflict with any other section of the Saugus Zoning By-Law, the regulations of the Business Highway Zoning District By-Law shall govern.

Section 19.4: Pre-Application Meeting

Prior to submitting an application to the Building Inspector for projects under the Business Highway Zoning District, applicants should contact the Town Manager and request a Pre-Application Meeting with relevant Town Officials and Boards. The purpose of the meeting is to present the project concept and discuss zoning, public safety, wetland issues, housing concerns, infrastructure, etc. as applicable, in order to facilitate project development and coordinate the permitting processes.

Project proponents are encouraged to bring sufficient information to the meeting to enable attendees to become familiar with the site and the project. This information includes photographs, a map of existing conditions, and a preliminary concept plan for the proposed project.

Section 19.5: Administration

a. For purposes of this by-law, the Planning Board is designated as the Special Permit Granting Authority (SPGA) for all uses needing a Special Permit. All Special Permit Applications made pursuant to this Article shall conform to the requirements of this Article and Article 12-Special Permits and Conditions, Section 12..1, 12.2, and 12.3 of the Saugus Zoning By-Law. The decision of the Planning Board for a Special Permit may be approval, approval with conditions, or denial of the requested special permit(s).

The Planning Board may adopt regulations for the implementation of this Article, including but not limited to design guidelines that support the intent of the Business Highway District Design Criteria/Standards.

b. Consistent with the Saugus Zoning By-Law Section 12.6 Site Plan Review, the Planning Board will perform Site Plan Review, including sign review, for all applicable projects submitted under the Business Highway Business Zoning District. The applicability criteria shall include any new structure, group of structures, or additions in which:

1. The use is commercial or residential
2. Any new structure having a total gross area in excess of 3,000 square feet or
3. There is an increase of at least 1,000 square feet to an existing structure and where the final structure will have a total gross floor area in excess of 3,000 square feet.

c. All properties proposed for development – whether being subdivided or developed as a single parcel- shall be developed in accordance with a master plan that has been approved by the Planning Board.

1. Master plans shall meet the following requirements:
2. Master plans shall be prepared when any property, existing at the time of adoption of this ordinance, is initially proposed for subdivision or land development. Subdivided properties that are intended to be developed at a later date shall be subject to this initial master plan.
3. Master plans can be prepared simultaneously with and as part of site plan review and special permit or can be prepared before submittal for site plan review and special permit.

4. Master plans shall show proposed buildings, land uses, lots, streets, and open space for the entire tract and shall be consistent with the Saugus Subdivision Rules and Regulations.
5. The Planning Board may require changes in the master plan in order to meet the legislative intent and other standards of the Business Highway Zoning District.
6. Development of property may be done in phases; however, any proposed subdivision or land development of a property or portion of a property must be consistent with the master plan. If a proposed subdivision or land development is not consistent with the master plan, the master plan as a whole may be revised provided the following requirements are met:
 7. The master plan complies with all Highway Business Highway District zoning requirements.
 8. All owners of land within the original Master Plan development area, whose property is affected by the revised master plan, approve the revisions to the master plan that affect their properties.
 9. The revised master plan is approved by the Planning Board.
- d. Applicants submitting plans shall also submit to the planning board architectural drawings, such as elevations, perspective drawings, and cross-sections, which demonstrate compliance with the standards in the Business Highway District.
- e. Special Permit and Site Plan Approval applications along with Master Plans can be prepared simultaneously.

Section 19.6: Site Plan Review

Consistent with the Saugus Zoning By-Law Section 12.6 Site Plan Review, the Planning Board will perform Site Plan Review, including sign review, for all applicable projects submitted under the Business Highway Zoning District. The applicability criteria shall include any new structures, group of structures, or additions in which:

- a. The use is commercial or residential or
- b. Any new structure having a total gross floor area in excess of 3,000 square feet or

- c. There is an increase of at least 1,000 square feet to an existing structure and where the final structure will have a total gross area in excess of 3,000 square feet.

The Planning Board shall conduct Site Plan Review and Master Plan Review concurrently with Special Permit review, as applicable. In performing Site Plan and Design Review, the Planning Board may employ the services of qualified professional consultants as provided under M.G.L. c. 44, § 53G, as amended, entitled “Employment of outside consultants”. These services may include those of an urban designer, traffic engineer, architect and/or landscape architect.

Appeals. Applicants for a Site Plan Review may appeal any and all conditions imposed by the Planning Board to the Board of Appeal within thirty (30) days of the date on which the Site Plan Review letter is filed with the Town Clerk by filing written notice of appeal, specifying the grounds thereof, with the Town Clerk who shall forthwith transmit copies to the Planning Board,, the Inspector of Buildings, and the Board of Appeal. The Planning Board and the Inspector of Buildings shall forthwith transmit to the Board of Appeal all documents and papers constituting the record of the case in which the appeal is taken. In no instance shall the administrative Site Plan Approval process be construed as a special permit for the purpose of any appeal.

Section 19.7: Special Permit Criteria

In addition to Article 19.5a- special permits and conditions, in the Saugus Zoning By-Law, the Planning Board shall consider the following criteria before issuing a Special Permit for development or redevelopment under the provisions of the Business Highway Zoning District :

- a. Adequacy of the site for the size of the proposed project.
- b. Suitability of the site for the proposed uses(s).
- c. Degree to which the proposed project complies with the purposes and intent of the Business Highway Zoning District.
- d. The extent to which affordable housing is a component of the project.
- e. Impact on traffic and pedestrian flow, safety and access for emergency vehicles.
- f. Impact on Residential Zones
- f. Extent to which the project promotes mixed-use development,
- g. The extent to which the project promotes sustainable building and site design.
- h. Buildings, driveways, parking areas, loading areas, outdoor activity areas, light sources, trash areas and other potential nuisances shall be located and designed to minimize adverse impacts on abutting residential properties. In order to limit the adverse impact of any proposed use the special permit may require alternative site layouts, including increased setbacks from residential property lines, different locations of buildings, parking areas, and driveways, the incorporation of loading and trash collection areas as part of the principal building design, and increased screening for light sources and outdoor activity areas.
- i. Driveway intersections with streets and traffic circulation patterns within lots shall be

located and designed to minimize congestion and safety problems on adjacent streets and nearby intersections. The Special Permit may require alternative driveway locations and site design in order to alleviate potential congestion or safety problems.

Section 19.8: Inclusionary Housing

Projects developed under the Highway Business Zoning District shall follow the requirements of the Saugus Zoning By-Law, Article 15: Inclusionary Housing

Section 19.9: Uses

Except as provided in the Zoning Act, Ch. 40A M.G.L., the Saugus Zoning By-Law or in the Business Highway Zoning District, no building, structure or land shall be used except for the purpose permitted in the Business Highway Zoning District as described. Any use not listed herein shall be construed to be prohibited.

Within the Business Highway District, uses shall be regulated as follows:

More than one principal Permitted or Special Permit use on a lot within the Highway Business District is allowed.

Ownership. Any land area proposed for development shall be in one ownership or shall be subject to a joint application filed by every owner of the land area proposed for development, under single direction, using one overall master plan and complying with all requirements of the Business Highway Zoning District.

Ownership and Maintenance of Common Open Space, Plaza Areas, and Other Facilities. Common open space, plaza areas, and other common facilities shall have agreements stating ownership and maintenance responsibilities. The required usable open space and plaza areas shall be permanently deed restricted from future development.

a. Mix of allowed uses shall mean: A combination of uses from four general land use groups.

- 1.** Office, Entertainment, and Institutions
- 2.** Retail and Restaurants
- 3.** Residential-multifamily apartments & townhouses
- 4.** Light Industrial

These uses can be on one lot or adjoining lots, arranged vertically (in multiple stories or structures) or horizontally (adjacent to one another in one or more building). Mix of uses shall be balanced and compatible and shall contribute to a vibrant atmosphere within a development. In this District, this definition supersedes the Saugus Zoning By-Law definition of “Principal Use”. While no mixing of uses is required, it is recognized that development within this district will be more dynamic and sustainable with an appropriate mix of complementary uses. The concept is to create more dynamic and sustainable developments with an appropriate mix of complementary uses. As the size of properties increases, the potential for sterile one-use developments also increases. The Business Highway Zoning District encourages greater mixes of uses as property sizes increase.

b. Suggested Mix of Uses

Within the Business Highway District it is strongly encouraged that a development meet the following mix of use requirements, depending on the size of the property at the time the property was zoned Business Highway District.

Tracts of developable land less than 1 acre- Developments may consist of one of the land uses groups under allowed uses.

Tracts of developable land 1 to 10 acres- Development is encouraged to include at least two of the land use groups listed under allowed uses.

Tracts of developable land greater than 10 acres -Development is encouraged to include at least three of the land use groups listed under allowed uses.

(Concept is to create more dynamic and sustainable developments with an appropriate mix of complementary uses. As the size of properties increases, the potential for sterile one-use developments also increases. To avoid this problem, the Business Highway District encourages greater mixes of uses as property sizes increase).

c. Allowed Uses

A lot(s) and/or building(s) may be used for one or more of the following principle by-right permitted uses, in compliance with the standards and requirements contained in this article. The following uses are permitted by right, provided no-drive-through facilities are proposed.

1. Office, entertainment, institutional and related uses, as listed below:

- a. Professional, administrative, and business offices.
- b. Offices of doctor, dentist, and other healthcare providers.
- c. Hospitals, medical clinics, sanitariums, nursing homes, assisted living facilities, rest homes philanthropic institutions
- d. Bank or financial institutions, excluding drive-through facilities.
- e. Business services establishments including copy centers, retail printing and duplication services, computer rental, mailbox rental.
- f. Hotels, bed and breakfast facilities, convention centers, meeting space, and banquet facilities.
- g. Studio for dance, art, music, photography, or exercise
- h. Indoor sports facility; bowling alley, racquet sports, health club.
- i. Galleries and museums.
- j. Theaters.
- k. Schools and day care centers.
- l. Technical schools and training centers
- m. Government administrative uses, post offices, community centers, and libraries.
- n. Club or fraternal organization.
- o. Emergency service facilities such as ambulance and fire services.

2. Retail, restaurant, and related uses, as listed below:

- a. Retail commercial sales, excluding drive-through facilities, offering dry goods, variety merchandise, clothing groceries, baked goods, beverages, flowers, plants, drugs, books, furnishings or other household supplies, antiques, hardware, jewelry, clocks, optical goods, cameras, home appliances, electronic equipment, videos, scientific and professional instruments, and/or similar goods. Shopping centers, as defined in this by-law, are only permitted by a special permit.
- b. Personal service businesses including but not limited to: barbershop and/or hairdresser, shoe repair, tailor, nail salon, tanning salon, health and beauty spas, personal fitness establishments, dry cleaning (pick up establishments only), laundromat.
- c. Restaurants and other food or beverage establishments, excluding drive through facilities.

- d. Studios for dance, music, fitness, art, or photography.
- e. Indoor sports facilities, including bowling alley, racquet sports, and health club.
- f. Bar or tavern
- g. Convenience stores, without fuel pumps.

3. Apartment units and attached townhouses

4. Accessory uses to principle use, including structured and surface and below ground parking.

d. Uses Allowed by Special Permit

The following uses may be permitted by Special Permit from the Planning Board in accordance with the special permit use criteria of Section 19.5a and Section 19.7 of this Article, the standards listed below, and all other regulations of the Saugus Zoning By-Law including Articles 12, 12.5, 12.5D. Except that powers and responsibilities of the Board of Selectmen and Board of Appeals in these two articles shall be the responsibility of the Planning Board.

1. Class One Special Permit Uses

On lots with a minimum area of 40,000 square feet and a minimum width at the building line of 100 feet, the following uses are permitted as class one conditional uses:

a. Uses with drive through facilities, including restaurants, drug stores, banks and financial institutions, and other uses listed in Sections 19.9c provided:

The stacking lanes shall not interfere with parking spaces or the internal and external circulation of the site and drive through windows shall face the rear or side yard of the site. Drive through windows shall not face a public street.

Restaurants shall have a minimum of seven (7) staking spaces for queuing cars accessing the ordering window or speaker. If pick up/payment windows are provided separately, the queuing distance between windows and/or speaker(s) shall be a minimum of three (3) stacking spaces.

Banks, service, and retail establishments shall have a minimum of four (4) stacking spaces for queuing cars accessing a drive-through window or speaker. The use provides sufficient on-site stacking lanes to accommodate a minimum of six (6) automobiles leading to the first drive-through window, bank teller window, remote teller window, or drive through automatic teller machine on the site, and two (2) automobiles for each additional drive-through facility on the site.

b. Car washes, provided:

1. All automated washing and drying facilities are located entirely within an enclosed and roofed building.
2. Automatic car wash facilities provide sufficient on-site stacking lanes to accommodate a minimum of ten (10) automobiles for the first washing bay on site and two (2) automobiles for each additional washing bay on the site.
3. Self-service car wash facilities provide sufficient on-site stacking lanes to accommodate a minimum of four (4) automobiles for the first washing bay on the site and one (1) automobile for each additional washing bay on the site.
4. Car wash facilities contain on-site drainage systems designed to prevent water runoff and freezing on streets and adjoining properties.

c. Oil change and lube facilities provided:

1. All activities are performed within a completely enclosed building. Outdoor storage is not permitted.
2. Sufficient on-site stacking lanes are provided to accommodate a minimum of four (4) automobiles for the first maintenance bay on the site and one (1) automobile for each additional maintenance bay.

d. Gas stations, mini-marts, convenience stores with fuel pumps and any other use with fuel pumps, provided:

1. All activities except those to be performed at the fuel or air pumps are performed within a completely enclosed building. Outdoor storage is not permitted.
2. Minimum setback of pump islands is fifty (50) feet from street ultimate rights-of-way, eighty (80) feet from residential property lines, and thirty (30) feet from all other property lines.
3. Minimum setback of parking (any portion) from fuel pumps is thirty (30) feet.

4. The fuel pump area does not interfere with parking spaces or internal circulation. In developments with multiple uses, the fuel pump area shall be separated from the parking and internal circulation of other uses.

e. Auto Body repairs and/ or painting .

f. Canopies shall meet the following requirements:

1. Canopies shall be set back at least 50 feet from property lines and ultimate rights-of-way lines and fifty (50) feet from abutting residentially zoned properties.
2. Canopies shall have a maximum height of 16 feet measured to the underside of the canopy. For slanted canopies, this 16-foot maximum can be measured at the portion of the canopy closest to the street.
3. Individual canopies shall have a maximum area of 3,600 square feet; multiple canopies shall be separated by a minimum distance of 15 feet.
4. Lighting for canopies shall be recessed so that the bottom of the lighting fixture is flush with the underside of the canopy, using a full cutoff flat lenses luminaire.
5. Canopies shall be designed to be architecturally compatible with structures in the surrounding area with regard to color and building materials. Colors shall be compatible with buildings in the neighborhood, and pitched roofs shall be used wherever possible.

g. Repair shop, excluding repair of automobiles, other vehicles, and large equipment, provided:

1. All items must be repaired on the premises in an enclosed and roofed building.
2. No outside storage is permitted.

h. Radio and/ or television studios.

i. Funeral home or mortuary.

j. Research and development facility.

k. Uses of the same general character as those found in this section may be permitted by the Planning Board as a Special Permit after consultation with the Building Inspector.

2. Class Two Special Permit Uses

On lots with a minimum area of 100,000 square feet and a minimum width at the building line of two hundred (200) feet, the following uses are permitted as Class Two conditional uses:

a. Shopping center

b. Veterinarian's office or commercial kennel, provided:

1. Buildings are adequately soundproofed so that sounds generated within the building cannot be perceived at the lot boundary.
2. No shelter, run, or structure that will contain animals at night is located within 100 feet of any property line or street line.

c. Indoor theater and other indoor amusement centers provided:

1. Pick-up and drop-off areas are provided with at least one (1) automobile waiting space per screen or amusement center, up to a maximum of 6 spaces.

d. Motor vehicle , recreation vehicle and boat sales/ rental and service facility, in accordance with the following regulations:

1. The sale of gasoline shall be prohibited.
2. No temporary storage of these vehicles is allowed on the abutting roadway, or within the street ultimate right-of-way line.
3. Vehicles shall not be displayed on above-ground platforms and shall be displayed to appear similar to customer parking.
4. Parking, storage, and/ or display of vehicles or supplies shall be set back at least twenty five (25) feet from the street ultimate right-of-way line.
5. No more than one third of the vehicles on display shall be visible from the street. An opaque landscaped screen composed of shrubs at least three (3) feet in height, a masonry or brick wall of 2.5 to 3.5 feet in height, a combination of the two types of screening devices, or a similar screening device approved by the Board of Commissioners/ Supervisors/ Borough Council shall be installed.
6. Streamers, festoon lighting, flashing lights, moving lights, and intermittent lights are not permitted.
7. The magnitude of the lighting is subject to approval of the Planning Board.
8. All repairs, maintenance, and service activities shall be conducted within a completely enclosed building.

e. Shop for motor vehicle repair, maintenance, body, upholstery, or restoration work. Shops for motor vehicle repair, maintenance, body, upholstery and restoration work shall be subject to the same additional provisions as listed for motor vehicle sales facilities in use numbered **d** above, with the following addition:

1. All parts, dismantled vehicles, and similar articles shall be stored within a completely enclosed and roofed building.

f. Outdoor amusement facilities such as golf courses, batting cages, miniature golf courses, golf driving ranges, amusement parks and similar uses, in accordance with the following:

1. Driving Ranges, provided:

(i) A minimum lot area of five (5) acres is provided.

(ii) Protective screens to stop stray golf balls from crossing property lines are installed, unless the Board of Commissioners/Supervisors/Borough Council determines that screens are unnecessary. Protective screens over six (6) feet in height are located at least 100 feet from the property line.

(iii) A fifty (50) foot wide landscaped buffer area is installed along all street ultimate right-of-way lines and along all property lines abutting a nonresidential use, and a one hundred (100) foot buffer is installed along all property lines abutting a residential use.

g. Building supply center, lumber yard and contractor's business, including masonry, carpentry, remodeling, electrical, house cleaning, plumbing, painting, roofing, landscaping contractor, wholesale establishment for the sale and distribution of supplies and general merchandise provided that:

1. Outdoor storage areas are limited to 50% of the total site area and are screened from public roads and residential properties.
2. All products stored outdoors are stored and displayed behind areas that are clearly defined for such purpose, such as completely enclosed fences, walls or other structures.
3. The display of goods and merchandise is not located between the building and the street and meets the minimum required rear and side yard setbacks.
4. Such uses have a defined pick-up area that does not interfere with the flow of internal traffic or required parking areas.
5. Commercial vehicles and outdoor storage areas are at least sixty (60) feet from residential property lines and street ultimate right-of-way lines.

6. A ten (10) foot wide landscaped buffer area is provided along all property lines.

h. Nursery, garden center, or greenhouse provided:

1. Outdoor storage is limited to 75% of the total site area.
2. All non-plant materials are stored and displayed behind areas that are clearly defined for such purpose, and are screened from public roads and residential properties.
3. Such uses have a defined pick-up area that does not interfere with the flow of internal traffic or required parking areas.
4. Commercial vehicles and outdoor storage areas are at least sixty (60) feet from residential property lines and street ultimate right-of-way lines.

3. Class Three Conditional Uses

The following Light Industrial Uses shall be allowed only by Special Permit:

- a. light manufacturing employing electricity and/or other unobjectionable motive power, using hand labor and/or unobjectionable machinery or process.,
 - b. plant for the manufacture of electrical or electronic devices, appliances, apparatus or supplies;
 - c. plant for the manufacturing of medical, dental, drafting supplies, optical goods or other precision instruments,; accessory manufacturing uses of light manufacturing nature incidental to a permitted use, and where the product is customarily sold on premises directly to the customer.,
 - d. scientific research and development and related production activity, and accessory uses
- e. Accessory uses.** Accessory uses to a principal use (s), on the same lot with and customarily incidental to the use(s) permitted and utilized, including structured and surface parking lots. Accessory uses shall meet all the requirements for permitted uses.

Section 9: Dimensional and Density Regulations

For new construction all Dimensional and Density Regulations in the Business Highway Zoning District shall be in accordance with this Section and any Table of Dimensional and Density Regulations, and notes thereto created to support these regulations.

a. Minimum lot size 40,000 sq. ft.

b. Frontage

1. Minimum lot frontage along the major arterials (Route 1 and route 99)
For lots 40,000- 3 acre=100 feet

For lots above 3 acres= 200 feet
2. Minimum lot frontage along a public way other than a major arterial (route 1 or route 99), a private way approved and endorsed by the Saugus Planning Board, or a private internal access street or drive = 70 feet

3. Where frontage is provided by an internal access street or drive such access shall contain a paved roadway width from curb to curb of at least twenty-four (24) feet. In addition sidewalks shall be provided on both sides of the roadway.

4. Where parking is allowed on the access drive, the paved width shall be increased nine (9) feet for each side of the access drive used for parallel parking and eighteen (18) feet for each side of the access drive used for head-in parking.

c. Setbacks

1. Front

For buildings fronting on routes 1/99 (major arterials) = 50 ft.

For buildings within a development fronting on a public way (other than route 1 or route 99), private way, access road , internal road, drive or parking area =maximum setback of 25 feet.

2. Side=15 feet

3. Rear=25 feet

4. Setbacks from buildings within a development

a. For separate buildings up to 3 stories (40 feet) = 20 ft. setback between buildings is required

b. For separate buildings 4 to 6 stories (90 ft.) = 40 'setback between buildings is required.

d. Setbacks from all residential zoned districts

1. A 50 foot buffer shall be created from any yard side that abuts an existing residential district zone. The first 25 feet closest to a residential district shall contain no structures including surface parking lots, outdoor loading and trash storage areas. The remaining 25 feet may contain surface parking as well as internal roadways/access ways. Buffers shall be landscaped and planted with year round opaque planted screens, and/ or opaque fencing as well as the use of berms.

2. In addition buildings, driveways, parking areas, loading areas, outdoor activity areas, light sources, trash areas, and other potential nuisances shall be located and designed to minimize adverse impacts on abutting residential properties. In order to limit the adverse impact of a proposed residential, commercial or mixed use development on existing residential neighborhoods, in addition to an increased buffer area, locations of buildings, parking areas, and driveway areas and the incorporation of loading and trash collection areas shall be located in such a manner as to lessen any negative impacts on existing residential neighborhoods.

e. Height

- 1. As-of-Right = 4stories/55 ft.
- 2. .Special Permit by the Planning Board= 6 stories/90 ft.

f. Maximum Coverage

- 1. Maximum Building Area Coverage: 70%%.
- 2. Maximum total Impervious Coverage: 85%.
- 3. Minimum of 10% of the lot(s) shall be reserved and maintained as open space.

g. Density

- 1. Residential = 30 units per acre

Section 10: Parking

Parking spaces shall be 10 feet wide by 20 feet long, except for required Handicapped Spaces; and spaces designated “small or compact car spaces” shall be 8 feet wide by 16 feet long. No more than 35% of spaces shall be designated for “small cars”.

The following table provides Minimum and Maximum parking requirements for certain uses. All other Parking requirements shall be the same as listed in Article VIII-Off Street Parking and Loading Regulations in the Saugus Zoning By-Law.

Use	Minimum Parking Spaces:	Maximum Parking Spaces	Comments

Studio/1 Bedroom	1 per unit	1 per unit	Reduction for smaller units
All other residential units	1.5 per unit	2 per unit	
Motels, hotels	0.75 space for each guest room or dwelling unit, plus 1 space for each 500 s.f. of meeting, banquet or restaurant area	1 space for each guest room or dwelling unit, plus 1 space for each 400 s.f. of meeting, banquet or restaurant area	The Max. is in the current By-Law
Retail business and service establishments	1 space for each 300 s.f. of gross floor area on the first floor of a building, and one space for each 500 square feet of gross floor area thereafter for all floors used businesses, excluding basement storage area	1 space for each 250 s.f. of gross floor area on the first floor of a building, and one space for each 400 square feet of gross floor area thereafter for all floors used for office, retail or service businesses, excluding basement storage area	The current By-Law requires 1/300 sf—adjusted the minimum
Theaters	1 space for each five seats or for each 100 s.f. of auditorium area, if there are not fixed seats	1 space for each four seats or for each 50 s.f. of auditorium area, if there are not fixed seats	
Mixed uses in a single building	See Section 8.5 Combined Facilities of the Zoning By-Law.	Spaces required will be the sum of the requirements of the various individual uses	If deeded condo parking, may not apply.

By grant of a Special Permit by the Planning Board, the Minimum number of off-street parking spaces required may be decreased provided that the following criteria have been met:

The purpose and intent of the by-law is achieved

The amount of off-street parking to be provided will be sufficient to serve the use(s) for which it is intended

The decrease in required off-street parking is based on a parking study prepared by a registered professional engineer. The parking study will include, at a minimum, the following:

Size and type of existing uses or activities on site

Size and type of proposed uses or activities on site

Rate of parking turnover

Peak traffic and parking loads to be encountered

Availability of public transportation, or transportation shuttle services

Other factors identified by the Planning Board

The Planning Board may consult with the Town Building Commissioner, public safety officials and/or engineer prior to granting any decrease in parking.

If the Planning Board allows a decrease in the amount of required off-street parking, the Board may require that a portion of the site be reserved to meet the off-street parking spaces required by this bylaw. This reserved area shall not be developed and shall be either landscaped or maintained in a natural state. The reserved area shall not count towards the open space requirements.

Shared Parking

Notwithstanding any other parking requirements set forth in the By-law for individual land uses , when any land or building is used for two or more distinguishable purposes (including Mix Use development), the minimum total number of parking spaces required to serve the combination of all uses shall be determined in the following manner:

1. Multiply the minimum parking requirement for each individual use (See Section above) by the appropriate percentage (as shown in the Shared Parking Chart below) for each of the five designated time periods.

2. Add the resulting sums from each vertical column.
3. The column total having the highest total value is the minimum shared parking space requirement for that combination of land uses.
4. The calculations shall be reviewed and approved as part of the Site Plan and Design Review process.

Shared Parking Chart					
	Weekday	Weekday	Weekday	Weekend	Weekend
USE	Night Midnight to 7:00 a.m. (percent)	Day 7:00 a.m. to 5:00 p.m. (percent)	Evening 5:00 p.m. to Midnight (percent)	Day 6:00 a.m. to 6:00 p.m. (percent)	Evening 6:00 p.m. to Midnight (percent)
Residential	100	60	90	80	90
Office/Industrial	5	100	10	10	5
Commercial/Retail	5	80	90	100	70
Hotel	70	70	100	70	100
Restaurant	10	50	100	50	100
Restaurant associated with hotel	10	50	60	50	60
Entertainment/recrea tion (theaters, bowling allies, cocktail lounges and similar)	10	40	100	80	100
Day-care facilities	5	100	10	20	5
All other (unless documentation is	100	100	100	100	100

submitted by a registered engineer, etc.)					
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Section 11: Design Standards

The Planning Board shall ensure that the following criteria are met during Site Plan Review. Site Plan Approval shall be granted upon determination by the Planning Board that the plan meets the following objectives. The Planning Board may impose reasonable conditions at the expense of the applicant including performance guarantees, to promote these objectives.

These design criteria are intended to promote quality development that is compatible with the intent of the zoning for route 1 and the desire for contextual, human scale and pedestrian orientated projects.

Compatible Design helps enhance the quality of life for all residents while strengthening the economic viability of the Route 1 corridor, The Design Criteria seeks to encourage visual harmony and encourage creative design solutions. The Design Criteria encourages a variety of choices for achieving design compatibility with the Business Highway Zoning District. New building and/or substantial alterations shall incorporate features to add visual interest while reducing the appearance of bulk or mass. Such features include varied facades, rooflines, roof heights and materials. Continuous lengths of flat, blank walls adjacent to streets, pedestrian pathways, or open space shall not be permitted.

Any new structure having a total gross area of 3,000 square feet or where there is an increase of 1,000 square feet to an existing structure an where the final structure will have a total gross area in excess of 3,000 square feet shall meet the following standards:

a. Rear and side facades shall be of finished quality and shall be of color and materials that are similar to the front facade and blend with structures within the development as well as with structures in the surrounding area. Predominant wall materials shall have the appearance of wood, brick, or stone. If painted or coated, only non-metallic finish will be used. shall be non-reflective.

Awnings and canopies shall be compatible with the architectural style of the building. Colors and patterns used for awnings and canopies shall be subdued and compatible with existing awnings on adjacent buildings.

Ground floor commercial building facades facing streets, squares, or other significant pedestrian spaces shall contain transparent windows encompassing a minimum of 40 percent of the façade surface.

b. Building shall incorporate features to add visual interest while reducing the appearance of bulk or mass. Facades must be interrupted at least once within every one hundred (100) horizontal feet, with offsets of four (4) or more feet in depth along any building facade facing a public street or public parking. Offsets shall be continuous from grade to the roofline.

c. Building facades of two hundred (200) feet or more which face public streets or public parking shall, in addition to offsets, include other design elements to break up the façade, such as awnings, porches, canopies, towers, balconies, bays, changes in building materials, gables, and planted trellises.

d. Principal buildings shall have clearly defined, highly visible customer entrances with features such as canopies, porticoes, arches, and integral planters that incorporate landscaped areas and/ or areas for sitting. Where parking is located to the rear of a building, any rear entrance is to be visible and accessible from the parking lot. Directional signage to the building entrance(s) shall be installed. All entrances are to have sufficient illumination at night time.

e. Rooflines shall be varied to add visual interest, to reduce the scale of larger buildings, and to create consistency with buildings in the surrounding area. Mechanical equipment located on roofs shall be screened, organized and designed as a component of the roof design, and not appear to be a leftover or add-on element. Mechanical equipment shall be installed to minimize the noise impacts on any adjacent residences, whether on the project lot(s) or on adjacent lot(s).

1. Buildings with less than 15,000 square feet of building area on the ground floor that are located adjacent to a residential zoning district shall have pitched roofs covering at least 80 percent of the building with a pitch of at least 6 vertical inches to every 12 horizontal inches.

2. Buildings with more than 15,000 square feet on the ground floor shall meet one of the following roof requirements:

(i) The same roof requirement as outlined above in Section.5.a.

(ii) Parapets or mansard roofs that conceal flat roofs and rooftop equipment such as HVAC units along all roof edges.

3. For all buildings, building ridgelines or roof planes facing public streets and public parking lots must be interrupted at least once every one hundred (100) feet by a vertical change of five (5) feet, the inclusion of a new gable, or the inclusion of a dormer.

4. All shopping centers and other retail establishments with 100,000 square feet or more in

gross floor area shall meet the following additional requirements:

a. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length. To qualify for this requirement, display windows shall begin between 12 to 24 inches above ground level and shall end between 78 inches and 108 inches above ground level.

b. Large buildings and shopping centers shall have clearly defined, highly visible customer entrances for primary buildings featuring no less than three (3) of the following: canopies or porticoes; overhangs; recesses/ projections; arcades; raised corniced parapets over the door; peaked roof forms; arches; outdoor patios; and display windows.

c. Storefront landscaping shall be provided between the foundations of buildings and driveways/parking areas. A minimum of 25 percent of the area between the building foundation and driveways/parking areas shall be landscaped.

d. All sides of shopping centers and retail establishments with 50,000 square feet or more of floor area that directly face an abutting public street shall feature at least one (1) customer entrance. This requirement can be met for two sides of a shopping center or large retail establishment by a corner entrance that is visible from both sides.

It is desirable that new buildings incorporate green building techniques (such as those developed by the U.S. Green Building Council) to the maximum extent possible.

B. Common Use Area

Shopping centers or large retail establishments of 100,000 square feet or more of gross building floor area shall contain a common use area that will serve as a focal point for the center and provide walkways, seating, and landscaping. Water features, courtyards, mini-parks and plazas are encouraged. The common use area shall meet the following requirements:

1. It shall generally be located between the street and the front facade of the primary shopping center or large retail establishment building, within 200 feet of this building.
2. It shall be equal to or greater in size than five (5) percent of the gross floor area of the shopping center or large retail establishment.
3. It shall be directly connected to the sidewalk in front of the shopping center or large retail establishment, without intervening driveways or streets.
4. It shall consist of one contiguous area, and the shape and location of the common use area shall be approved by the Planning Board.

5. It shall be improved with either a gazebo, pavilion, clock tower, or paved patio area with a fountain to help identify this area as the central gathering place for the development. This improvement shall be a minimum of 300 square feet in size.

6. It shall contain shade trees, ornamental plantings, and seating; it may also contain outdoor dining areas.

C. Parking and Driveway Design Standards

Parking lots shall be landscaped according to the following regulations:

1. The ends of all parking rows shall be divided from drives by planting islands.

2. There shall be no more than 15 contiguous parking stalls in a row without a planting island.
3. Planting islands shall be a minimum of ten (10) feet by twenty (20) feet in area, underlain by soil (not base course material) and shall be protected by curbing, wheel stops, or bollards. Each planting island shall contain at least one (1) shade tree plus low growing shrubs and/ or groundcover to cover the entire area at maturity.
4. Parking lots shall be divided by planting strips placed at intervals of one (1) for every four (4) or fewer rows of parking. These planting strips shall meet the following requirements:
 - a. At least half of the planting strips shall be a minimum of 15 feet in width, and contain a 5 foot paved walkway leading towards the building, with 5 feet provided for plantings on both sides of the walkway.
 - b. All other planting strips shall be a minimum of ten feet in width, with all ten feet for plantings.
 - c. Strips shall run the length of the parking row, be underlain by soil, and be protected by curbs, wheel stops or bollards.
 - d. Planting strips shall contain plantings of one (1) canopy tree every twenty five (25) feet, two (2) shrubs per tree, and groundcover/shrubs to cover the entire remaining unplanted area at maturity.
5. A perimeter planting area at least 10 feet in width shall be provided along all property lines and street ultimate rights-of-way lines.
6. The maximum depth of a parking area located within the front yard of a general commercial building with less than 20,000 square feet of building area shall be sixty five (65) feet, measured perpendicular or radial to the street ultimate right-of-way line.
7. Each commercial use shall provide access easements for its parking aisles and driveways guaranteeing access to all abutting lots zoned General Commercial, unless all possible interconnections between two abutting lots must cross twenty (20) linear feet or more of wetlands, floodplain, or natural slopes of 15% or more. Parking areas on adjacent lots shall be directly connected by a driveway. These interconnections shall be constructed during the initial land development.
8. Large retail uses and shopping centers with over 100,000 square feet of gross building floor area shall provide the following:
 - a. A pickup area for public transportation located between the street and the front façade of the large retail use or shopping center. The pickup area must include a ten (10) foot by twenty (20) foot waiting area that is separated from other sidewalks in the development. The pickup area must also include an area where a forty-foot bus can park without blocking any lanes of the development's driveways.
 - b. Driveways and a parking area that can handle and are designed for the weight and length of a forty-foot passenger bus.
9. Properties with frontages of 600 feet or less on any individual street are only permitted one driveway intersection per street. Properties with frontages greater than 600 feet may be permitted a maximum of two driveways per street frontage, provided that such driveways are at least 300 feet apart. Regardless of frontage, a development may be restricted to a single driveway depending on usage and interior and exterior traffic patterns.
10. Parking areas containing 50 or more cars shall have a minimum driveway length of fifty (50) feet provided between the road ultimate right-of-way line and the first parking space or internal driveway intersection. Parking areas containing less than 50 cars shall have a minimum driveway length of twenty (20) feet provided between the road ultimate right-of-way line and the first parking space or internal driveway intersection.

D. Pedestrian Circulation Design Standards

1. There shall be clear grade separated pedestrian connections between all parking areas and all buildings. A raised, landscaped sidewalk will be constructed through the main parking lot to facilitate safe pedestrian travel through the site. The sidewalks required within planting strips may be used to meet this requirement.
2. Continuous internal pedestrian walkways, no less than 5 feet in width, shall provide a direct link from the public sidewalk or street right-of-way to the principal customer entrance of all principal retail establishments on the site. Walkways shall also connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building and store entry points. The sidewalks required within planting strips may be used to meet this requirement.
3. Unobstructed sidewalks, no less than 6 feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. Along facades with building entrances, the required 6-foot wide sidewalk area shall be set back from the façade by a 3 foot area that either contains planting beds or additional sidewalk width.

4. All internal pedestrian walkways and crosswalks shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort.

5. Buildings and sidewalks shall be handicapped accessible.

E. Lighting Standards

1. Lighting shall be shielded to meet the following requirements:
 - a. No light shall shine directly into the windows of a building on abutting property.
 - b. No light shall shine directly from a light source onto the ground or improvements of an abutting property, although incidental light may be permitted to fall on abutting property. Such lighting shall not exceed one-half an ISO foot candle at ground level on the abutting property.
 - c. No light shall shine directly onto public roads.
2. Where the abutting property is residentially zoned or used, nonresidential uses shall direct light fixtures toward the proposed development and shield the residential properties from direct lighting or glare. The light source itself must not be visible from the abutting residential property.
3. No parking lot lighting standard or building fixture shall exceed twenty-five (25) feet in height from grade level, and no pedestrian lighting standard shall exceed fourteen (14) feet in height from grade level.
4. Light fixtures located closer to a side or rear lot line than the side or rear yard setback, shall be no more than ten (10) feet high, and shall direct the light source away from the property line.
5. Light fixtures located along a residential property line shall be setback a minimum of twenty (20) feet from the property line.
6. No streamers or festoon lighting, comprising a group of incandescent light bulbs, shall be hung or strung on a building or any other structure.

7. No flashing or intermittent or moving lights, including lights on signs, shall be permitted.

F. Noise Control

1. No person shall cause, suffer, allow, or permit the operation of any sound source on a

commercial property or public space or right-of-way in such a manner as to create a sound level that exceeds the background sound level by 10 dBC during daytime (7:00 AM to 9:00 PM) hours and by 5 dBC during nighttime (9:00 PM to 7:00 AM) hours when measured at or within the property line of the receiving property.

2. No delivery, loading, trash removal or compaction or other such operations shall be permitted between the hours of 10:00 PM and 7:00 AM unless the applicant submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level of forty five (45) dB, as measured at the lot line of any adjoining property.

G. Other Requirements

1. Loading docks, utility meters, HVAC equipment, trash dumpsters and other service functions shall be incorporated into the overall design theme of the building so that the architectural design is continuous. These areas shall be located and screened so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and streets or primary public open space and shall incorporate effective techniques for noise buffering from adjacent uses.

2. Outdoor sales and storage areas shall conform to the following requirements:

a. Outdoor sales and storage areas shall not be located within twenty (20) feet of any public street or public sidewalk.

b. These areas shall be screened so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.

c. Outdoor areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls or fences. Materials, colors and design of screening walls or fences shall conform to those used as predominant materials and colors of the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors of the building.

d. To the maximum extent possible projects shall provide pedestrian-friendly amenities, such as outdoor seating, patios, porches or courtyards. Site landscaping shall be maximized.

e. Pedestrian connections shall be built between lots to the maximum extent possible to minimize vehicle traffic between adjacent lots

f. Curb cuts shall be minimized.

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Mixed Use General Commercial District Vehicular Access Standards

A. All tracts of land to be developed in the Highway Business District shall share access with an adjacent Highway Business District property when available and feasible, consistent with subsection 2 below. If shared access cannot be provided by an existing driveway, the applicant shall provide access in a way that maximizes the potential for shared access in the future, consistent with subsection 3 below. When the requirements of subsections 2 and 3 cannot be satisfied, an independent access may be permitted consistent with subsection 4 below. Multiple access points may be provided when the requirements of subsection 5 are satisfied.

1. Existing Driveways. All existing driveways providing access to the property from public roads shall be eliminated, unless they meet the requirements in subsection 3 or 4 below.

2. Shared Access via Existing Driveways on Adjacent Properties

a. When the nearest edge of an existing driveway on an adjacent property zoned Highway Business having frontage on the same street is within 50 feet of the subject tract, that subject tract shall utilize the driveway on the adjacent tract as a shared access, provided it is feasible and that an easement granting access to the subject tract has been recorded.

b. The shared access shall be the sole access to the site unless a second driveway is permitted consistent with subsection 5, herein.

c. Shared access shall not be required when all possible interconnections between the two abutting lots would cross twenty (20) linear feet or more of wetlands, floodplains, and/or slopes of 15% or more.

d. Shared access may be entirely located on one lot or split along a common lot line.

e. Each property within the Mixed Use General Commercial District shall provide an access easement guaranteeing internal vehicular access to all abutting lots zoned Mixed Use General Commercial.

3. Shared Access via New or Existing Driveway on the Property.

a. When shared access cannot be provided via an existing driveway consistent with subsection 2 above, a maximum of one driveway intersection shall be permitted per street frontage.

b. This driveway shall be located on a side lot line bordering a property zoned GC General Commercial. In order to accommodate required sight distances, or preserve environmental features, the driveway may be set back from the side lot line no greater than 50 feet. Shared access shall not be required when all possible interconnections between the two abutting lots would cross twenty (20) linear feet or more of wetlands, floodplains, and/or slopes of 15% or more.

c. Each property with a nonresidential use shall provide an access easement for this driveway guaranteeing access to all abutting lots zoned GC Commercial. In addition, the access easement shall provide access from the closest adjacent property line to the driveway. The easement between the driveway and the closest adjacent lot shall have a minimum width of 35 feet and shall be located between 50 and 100 feet from the street ultimate right-of-way line.

d. The location of the driveway intersection and the easement connection to the closest adjacent lot shall be subject to approval by the Board of Supervisors/ Commissioners/ Borough Council based on its ability to minimize the need for future driveways and/ or maximize the distance from existing street and driveway intersections, including consideration for safe site distances.

4. Independent Access.

a. When future shared access cannot be provided consistent with subsection 2 or 3 above, a maximum of one driveway intersection per street shall be permitted.

b. The driveway intersection shall be separated from existing driveway intersections by a minimum of 300 feet.

5. Dual Access.

a. A second driveway intersection per street may be permitted when it is located at least 300 feet from the first driveway intersection and at least 300 feet from adjacent property lines.

b. When a second driveway can be permitted consistent with subsection 5.a. above, a separation from adjacent property lines may be reduced in order to provide future shared access, provided the second driveway is located within 50 feet of an adjacent property line and at least 300 feet from any other driveway intersection. The adjacent property must be zoned GC General Commercial and the potential interconnection shall not cross twenty (20) linear feet or more of wetlands, floodplains, or slopes of 15% or more. Each property with a nonresidential use shall provide access easements to all abutting lots zoned GC General Commercial consistent with subsection 3.c.

An example of how model vehicular access standards work

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